IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD
(Special Original Jurisdiction)

THURSDAY, THE FIRST DAY OF JULY
TWO THOUSAND AND FOUR

PRESENT
THE HON'BLE MR JUSTICE S.ANANDA REDDY

WRIT PETITION NO : 11056 of 2004

Between:
1 D.Ravindar S/o Late Komaraiah
19-6-274, Shambhunipet , Warangal
2 P.Rajender S/o Manmohan Rao
19-6-276, Shambhunipet , Warangal
3 K.Srinivas S/o Sriramulu
19-6-261, Rangasaipet, Warangal .
4 S.Rajesh S/o Yadagiri
19-6-265, Rangasaipet, Warangal .

..... PETITIONERS

AND

1 The Superintendent of Prohibition & Excise Warangal
2 The Deputy Commissioner of Prohibition &Excise. Warangal

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue any appropriate writ, order or direction more particularly one in the nature of Writ of Mandamus directing the respondents herein to consider the representations dt.8/06/2004 and 25/06/2004 submitted by the petitioners herein and pass appropriate orders forthwith in the interest of justice and equity

For the Petitioners: MR.V.TULASI REDDY, Advocate

For the Respondent No.: GP FOR PROHIBITION & EXCISE

The Court made the following ORDER :

This writ petition is filed by the petitioners, who are four in number, aggrieved by the inaction of the respondents in considering the representation of the petitioners dated 08.06.2004 and 25.06.2004 against the proposed establishment of a Bar and Restaurant in a residential area, which contravenes Rule 29 of Andhra Pradesh Indian Liquor and Foreign Liquor Rules, 1970 (for short 'the Rules').

2. According to the petitioners, the place, where the proposed Bar and Restaurant is to be established is situated in a predominantly residential area, apart from the fact that it is very close to sixty bed hospital as well as temple. Therefore, the petitioners have raised objections before the licencing authority, but, however, the respondents did not consider the said representation. Hence, the petitioners have come up with the present writ petition.

3. Heard learned counsel for the petitioners and the learned Government pleader for Prohibition and Excise.

4. As the grievance of the petitioners is that their representation, opposing the establishment of Bar and Restaurant in the residential area contrary to Rule 29 of the Rules was not considered, it would be appropriate to direct the first respondent to consider the same in accordance with law and pass appropriate orders with regard to grant of permission for establishing a new Bar and Restaurant.

5. The writ petition is accordingly disposed of at the admission stage.

01.07.2004
Note: Furnish CC in 2 days
B/o
Va

To

1 The Superintendent of Prohibition & Excise, Warangal
2 The Deputy Commissioner of Prohibition &Excise, Warangal
3 Two CCs to G.P. for Prohibition and Excise, High Court of A.P. Buildings, Hyderabad (OUT)
4 Two CD Copies.